

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 1, 7-9 and 12 are amended.

I. Claims 8 and 12 Satisfy the Requirements of 35 U.S.C. §112, Second Paragraph

Claims 8 and 12 are rejected under 35 U.S.C. §112, second paragraph as indefinite. Accordingly, claims 8 and 12 are amended. Withdrawal of the rejection of claims 8 and 12 under 35 U.S.C. §112, second paragraph is respectfully requested.

II. The Claims Define Patentable Subject Matter

Claims 1-8 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,641,166 to Browne; and claims 9-12 are rejected under 35 U.S.C. §103(a) as unpatentable over Browne. These rejections are respectfully traversed.

The applied art does not teach, disclose or even suggest at least one pair of active knee bolsters provided in an instrument panel or at a vicinity thereof, the pair of active knee bolsters provided for each of at least one passenger, and each bolster being capable of restraining a corresponding lower limb of the passenger, and a controller which can control the active knee bolsters independently from each other, as claimed in claim 1 and similarly claimed in claim 9.

Instead, Brown discloses, as best shown in Figures 1-3, a knee bolster system 30 which includes an actuator 32 connected to telescoping mechanisms 33 and 34. The end of the telescoping mechanisms are attached to a singular or common elongated knee bolster pad 36 with a base end 37 attached to a vehicle structure 40. The knee bolster system 30 generally mounts to a vehicle structure 40 as a part of the dash 38.

Accordingly, the applied art does not disclose the features discussed above with respect to the independent claims. That is, the independent claims recite at least one pair of

active knee bolsters provided in an instrument panel with the pair of active knee bolsters provided for each of at least one passenger. Further, the independent claims recite that a controller can control the active knee bolsters independently from each. These features are not disclosed or suggested in the applied art.

In contrast, the applied teaches that the two knee bolster system 30 is preferably utilized within a single vehicle, one for a passenger 42 and one for a driver 44. Accordingly, the single knee bolster pad 36 projects substantially horizontally towards the knees of a single occupant, the passenger 42 or driver 44.

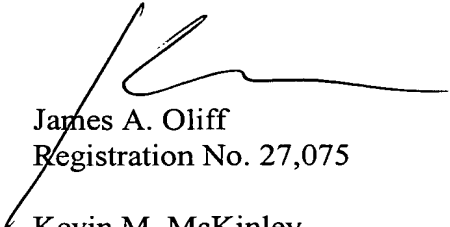
Accordingly, the prior art does not disclose the features discussed above with respect to at least the independent claims. Withdrawal of the rejection of the claims under 35 U.S.C. §§102 and 103 is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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